Examiner-Initiated Interview Summary		Application No.	Applicant(s)
	an/	09/801,734	UMITSUKI ET AL.
	ai y	Examiner	Art Unit
		David A. Lambertson	1636
All Participants:		Status of Applicatio	n:
(1) <u>David A. Lambertson</u> .		(3)	
(2) <u>Yuko Soneoka</u> .		(4)	
Date of Interview: 27 October 2002		Time: <u>2pm</u>	
Type of Interview:  ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant  Exhibit Shown or Demonstrated: ☐ Yes If Yes, provide a brief description:	• •	ant's representative)	
Part I.			
Rejection(s) discussed:  Potential rejection of claims 1, 5, 6 and 8 under 35 US(102(b).	C § 112, s	second paragraph. Potentia	l rejection of claim 7 under 35 USC §
Claims discussed: Claims 1 and 5-8			
Prior art documents discussed:  Potential prior art regarding claim 7.			
Part II.			
SUBSTANCE OF INTERVIEW DESCRIBING TH See Continuation Sheet	IE GENE	RAL NATURE OF WHAT	WAS DISCUSSED:
Part III.			
<ul> <li>☑ It is not necessary for applicant to provide a s directly resulted in the allowance of the applicant to fthe interview in the Notice of Allowability.</li> <li>☑ It is not necessary for applicant to provide a s did not result in resolution of all issues. A brief</li> </ul>	ation. The eparate	e examiner will provide a record of the substance	written summary of the substance of the interview, since the interview
(Examiner/SPE Signature) (A	Applican	/Applicant's Representat	ive Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's attorney/agent (henceforth Applicant) was contacted regarding the status of an After Final amendment. Applicant was advised of several issues that required a resolution prior to an indication of allowance. First, claims 1 and 8 required rephrasing to clearly indicate that it was the isolated koji mold that was transformed with the nucleic acids encoding a peptidase and a protease, rather than the parent strain. Regarding claim 5, it was noted that the claim was directed to "obtaining" a koji mold, rather than breeding a koji mold; this was because there was no step where the molds were actually mated. Regarding claim 6, it was noted that a positive process step recapitulating the preamble of the claim was necessary in order to clearly define the metes and bounds of the claimed method. Additionally, the Abstract would have to be retyped on a separate page in order to comply with formal standards. These issues were all resolved by the accompanying Examiner's Amendment.

Regarding claim 7, Applicant was informed that the Examiner interpreted the claim as a product-by-process claim. Therefore, if the identical product were obtainable by an independent method, the product would be anticipated because the method by which it is obtained does not confer a patentable feature to the product. Applicant was informed that under this interpretation, the Examiner uncovered potential prior art under 35 USC § 102(b), and that in order for an allowance to be issued, claim 7 would have to be cancelled. In a subsequent interview, Applicant indicated that, for the sole purpose of furthering prosecution and not as an admission that the Examiner's interpretation was accurate, claim 7 would be cancelled.